

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 15-0616-4068

ELECTIONS: **UNIT K-73** (*Wells K73 & K73A*)  
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on **June 29, 2015** which was recorded at **Document 150001283** in the Office of the Clerk of the Circuit Court of **Buchanan County, Virginia**, on **August 4, 2015**, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to **Unit K-73**;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, **First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Escrow Agent** or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 20 day of February, 2016 by a majority of the Virginia Gas and Oil Board.

*Bradley C. Lambert*

Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL



Acknowledged on this 20 day of February, 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn and depose and say that he is the Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

*Sally Settle Ketron*  
Sally Settle Ketron, Notary Public  
7623162

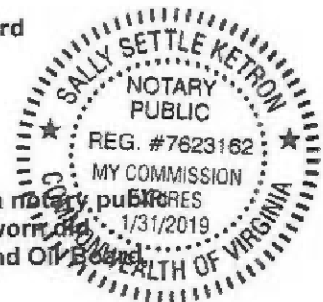
My Commission expires: January 31, 2019

DONE AND PERFORMED this 21 day of February, 2016 by Order of the Virginia Gas and Oil Board.

*Rick Cooper*

Rick Cooper  
Principal Executive to the  
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA  
COUNTY OF RUSSELL



Acknowledged on this 21 day of February, 2016, personally before me a notary public in and for the Commonwealth of Virginia, appeared Rick Cooper, being duly sworn and depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

*Sally Settle Ketron*  
Sally Settle Ketron, Notary Public  
7623162

My Commission expires: January 31, 2019

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit K-73  
VGOB 15-0616-4068 in the Rock Lick District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING  
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on June 29, 2015, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on August 4, 2015;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

*None*

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of June 29, 2015;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

*None*

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

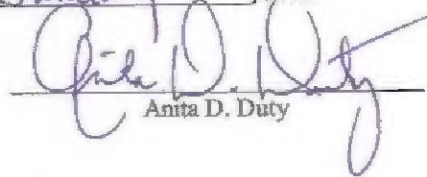
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

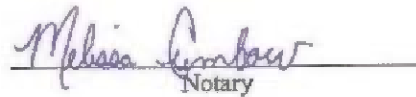
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Cedar Bluff, Virginia, this 29th day of January, 2016.

  
Anita D. Duty

STATE OF VIRGINIA  
COUNTY OF TAZEWELL

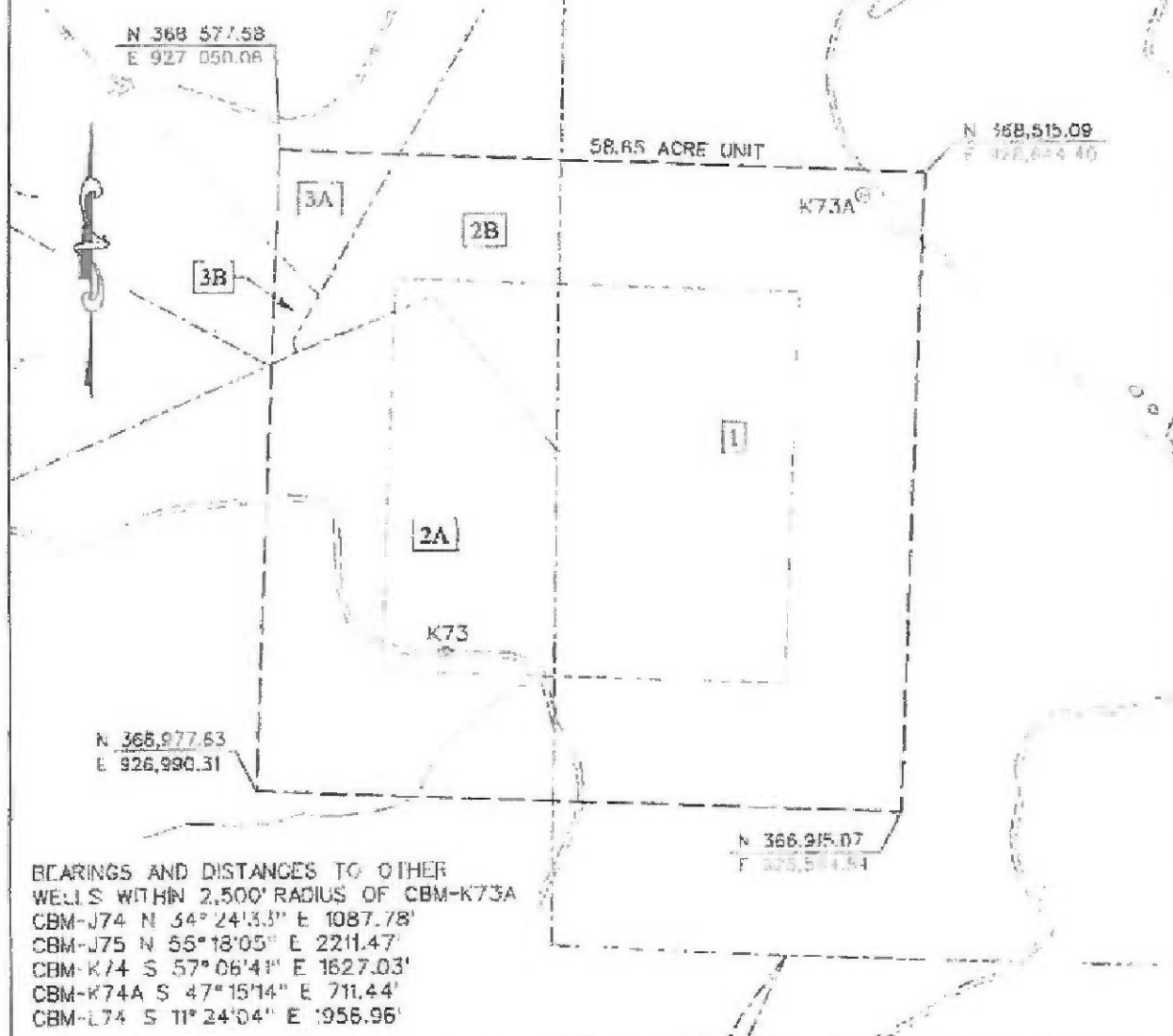
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC, on behalf of the corporate Designated Operator, this 29th day of January, 2016.

  
Notary

My commission expires: 12/31/2019.



PROPERTY LINES SHOWN ON THIS PLAT WERE PROVIDED BY CNX GAS LLC AND WERE TAKEN FROM CELD DESCRIPTIONS AND CHAIN OF TITLE OF RECORD. IT DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY. THE CERTIFICATION HEREON CERTIFIES THE LOCATION OF THE PROPOSED WELL ONLY.



○ CBM WELL  
⊗ PROPOSED CBM WELL

*James R. Dims Jr.*

Digitally signed by James R Dims Jr.  
DN: cn=US, o=identrust ACPS,  
Business Representative, ou=D.R.  
PRICE ENGINEERING AND LAND  
SURVEYING INCPC, email=James R  
Dims Jr.,  
0.9.2341 19200300.100.1.1-A01096  
90200012830701153000027EA  
Date: 2013.05.08 13:40:58 -04'00'

EXHIBIT A  
NORA FIELD  
UNIT K73  
FORCE POOLING  
VGOB-15-0616-4068

Company CNX Gas Company LLC Well Name and Number UNIT K73  
Tract No.                      Elevation                      Quadrangle                      Hornum                       
County BUCHANAN District                      Rock Click                      Scale: 1" = 400' Date                       
This plat is a new plat X ; an updated plat                      ; or a final plat                     

Form DGO-GO-7  
Rev. 9/91

Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)



**CNX Gas Company LLC**  
**UNIT K73**  
**Tract Identifications**

1. Bull Creek Coal Company (Grant Davis 471.60 Acre Tract) – Fee  
 Wellmore Energy Company, LLC – Coal in Hagy and above Seams Leased  
 Wellmore Energy Company, LLC – Coal in Splashdam Seam Leased (Subleased from Penn Virginia  
     Resource Partners)  
 Range Resources-Appalachia, LLC – Oil and Gas Leased  
 CNX Gas Company LLC – CBM Leased  
 32.37 Acres                      55.1918%
  
- 2A. Bull Creek Coal Company (Silas Clevinger 113.17 Acre Tract) – Coal  
 Wellmore Energy Company, LLC – Coal in Hagy and above Seams Leased  
 Wellmore Energy Company, LLC – Coal in Splashdam Seam Leased (Subleased from Penn Virginia  
     Resource Partners)  
 CNX Gas Company LLC – CBM Leased  
 Ira Ralph Clevinger, et al – Surface, Oil and Gas  
 Range Resources-Appalachia, LLC – Oil and Gas Leased (96.6667%)  
 CNX Gas Company, LLC – Oil and Gas Leased (3.3333%)  
 CNX Gas Company, LLC – CBM Leased (6.6667%)  
 18.51 Acres                      31.5601%
  
- 2B. Bull Creek Coal Company (Silas Clevinger 113.17 Acre Tract) – Coal  
 Wellmore Energy Company, LLC – Coal in Hagy and above Seams Leased  
 Wellmore Energy Company, LLC – Coal in Splashdam Seam Leased (Subleased from Penn Virginia  
     Resource Partners)  
 CNX Gas Company LLC – CBM Leased  
 Ted and Pauline Napier Heirs – Surface, Oil and Gas  
 5.82 Acres                      9.9233%
  
3. Bull Creek Coal Company (Robert Bartley 137.50 Acre Tract) – Minerals  
 Wellmore Energy Company, LLC – Coal in Hagy and above Seams Leased  
 Wellmore Energy Company, LLC – Coal in Splashdam Seam Leased (Subleased from Penn Virginia  
     Resource Partners)  
 Range Resources-Appalachia, LLC – Oil and Gas Leased  
 CNX Gas Company LLC – CBM Leased  
 1.95 Acres                      3.3248%
  
- 3A. Unknown surface owner
- 3B. Unknown surface owner

(This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coalbed methane ownership and should not be relied upon for such purpose.)

	Acres in Unit	Percent of Unit
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<u>Tract #2A - 18.51 acres</u>		
(1) Ira Ralph Clevinger, et al.	18.51 acres	31.5601%
(a) Elizabeth Clevinger Heirs, Devisees, Successors or Assigns		
(a.1) Ira Ralph Clevinger Box 115 Maxie, VA 24628	3.70 acres 1/5 of 18.51 acres	6.3120%
(b) Louvema Clevinger Heirs, Devisees, Successors or Assigns (documentation requested)	1.85 acres 1/10 of 18.51 acres	3.1560%
(b.1) Kenneth Ferrell Clevinger Heirs, Devisees, Successors or Assigns		
(b.1.1) Laura Clevinger Heirs, Devisees, Successors or Assigns (doc pending on heirs)		
(b.1.1.1) Deborah Kay Clevinger Address Unknown		
(b.1.1.2) Kenneth W. Clevinger PO Box 301 Maxie, VA 24628		
(b.1.1.3) Timothy F. Clevinger PO Box 424 Maxie, VA 24628-0424		
(b.1.1.4) Barry K. Clevinger PO Box 301 Maxie, VA 24628		
Oil & Gas Estates are leased by Range Resources - Appalachia, LLC		
<u>Tract #2B - 5.82 acres</u>		
(1) Ted & Pauline Napier Heirs (documentation pending on heirs)	5.82 acres	9.9233%
(a) Theodore Ray "Ted" Napier Heirs, Devisees, Successors or Assigns		
(a.1) Ethel Pauline Napier Heirs, Devisees, Successors or Assigns		
(a.1.1) Betty Gwisdalla 2005 Romeo St Ferndale, MI 48220		
(a.1.2) Peggy VandenBosh 4561 88th Ave Zeeland, MI 49464		
(a.1.3) Millie Stamat 1070 W. Guinn Rd Rochester, MI 48306		
(a.1.4) Lois Ann Owens 2745 Clothier Rd Kingston, MI 48741		
(a.1.5) Mary Helen Thompson Heirs, Devisees, Successors or Assigns		



Exhibit B-3  
Unit K-73  
Docket #VGOB 15-0616-4068  
List of Owners to be pooled  
(58.65 Acre Unit)

160000462

	Acres in Unit	Percent of Unit
(a.1.5.1) Alfred Timothy Campa 1135 Edward Blvd New Braunfels, TX 78132		
(a.1.5.2) Sherry C. Lanning 105 Dunn St, Trailer #5 Seguin, TX 78155		
(a.1.5.3) JoAnne Burch <i>Address Unknown</i>		
(a.1.5.4) Linda Campa Castignola <i>Address Unknown</i>		
(a.1.6) Bobby James Napier Heirs, Devisees, Successors or Assigns		
(a.1.6.1) Jody Welch 39161 Ledgate Dr Sterling Hgts, MI 48310		
(a.1.6.2) Lynn Napier 36607 Jeffrey dr Sterling Hgts, MI 48310		
(a.1.7) John Napier 27043 Havenhill Dr Warren, MI 48092		
(a.1.8) Teddy Ray Napier, Jr. 1049 NW 88 Central Lake, MI 49622		
(a.1.9) Bill Edward Napier Heirs, Devisees, Successors or Assigns		
(a.1.9.1) Karla Napier Hutto 219 Stanfield Rd Bluff City, TN 37618		
(a.1.10) Margaret Louise Jenkins Heirs, Devisees, Successors or Assigns		
(a.1.10.1) Rada Gail Deel PO Box 496 Big Rock, VA 24603		
(a.1.10.2) Rebecca Stiltner PO Box 1024 Cedar Bluff, VA 24609		
(a.1.10.3) Jerry Jones 7063 State Rd Millington, MI 48746		
(a.1.10.4) Ernie Lane	<i>Pre-deceased - no issue</i>	
(a.1.10.4.1) Jamie Lane	<i>Deceased - no issue</i>	
(a.1.10.4.2) Jessie Lane Heirs, Devisees, Successors or Assigns		
(a.1.10.4.2.1) T.J. Lane PO Box 131 Breaks, VA 24607		
(a.1.10.4.2.2) Brandy Sweeney 1121 Thimble Hollow Rd Hurley, VA 24620		

Exhibit B-3  
Unit K-73  
Docket #VGOB 15-0616-4068  
List of Owners to be pooled  
(58.65 Acre Unit)

160000462

	Acres in Unit	Percent of Unit
(a.1.10.5) Danny Boyd PO Box 513 Big Rock, VA 24803		
(a.1.11) Edna Ruth Bowman Heirs, Devisees, Successors or Assigns		
(a.1.11.1) Barbara Carol McCoy 2886 Convict Hollow Rd Grundy, VA 24614		
(a.1.11.2) Steve Theodore Bowman 255 Hailook Dr Abingdon, VA 24210		
(a.1.11.3) Hollie Bevins Bowman, Jr. 502 Riverview Dr Shelbyville, TN 37160		
(a.1.11.4) Eddie Dean Bowman 1214 Wardell Rd Cedar Bluff, VA 24809		
(a.1.11.5) Kathy Jo Bowman 2842 Convict Hollow Rd Grundy, VA 24614		
(a.1.11.6) Joey Mitchell Bowman 2842 Convict Hollow Rd Grundy, VA 24614		
(a.1.11.7) Patricia Denise Rowe 3719 Glenn Rd East Bend, NC 27018		
<b><u>TOTAL OIL &amp; GAS ESTATE:</u></b>		
Acres in Unit Unleased	11.37	
Percentage of Unit Unleased		19.3913%

Exhibit E  
Unit K-73  
Docket #VGOB 15-0616-4068  
List of Respondents to be escrowed  
(*\$8.85 Acre Unit*)

160000462

	Acres in Unit	Percent of Unit
<i>Escrow due to Unknown / Unlocatable</i>		
<u>Tract #2A - 18.51 acres</u>		
<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Ira Ralph Clevinger, et al.	18.51 acres	31.5601%
(b) Louverna Clevinger Heirs, Devisees, Successors or Assigns (documentation requested)	1.85 acres 1/10 of 18.51 acres	3.1560%
(b.1) Kenneth Ferrell Clevinger Heirs, Devisees, Successors or Assigns		
(b.1.1) Laura Clevinger Heirs, Devisees, Successors or Assigns (doc pending on heirs)		
(b.1.1.1) Deborah Kay Clevinger Address Unknown		

*Escrow due to Unknown / Unlocatable*

Tract #2B - 5.82 acres

<u>OIL &amp; GAS OWNERSHIP</u>		
(1) Ted & Pauline Napier Heirs (documentation pending on heirs)	5.82 acres	9.9233%
(a) Theodore Ray "Ted" Napier Heirs, Devisees, Successors or Assigns		
(a.1.5) Mary Helen Thompson Heirs, Devisees, Successors or Assigns		
(a.1.5.3) JoAnne Burch Address Unknown		
(a.1.5.4) Linda Campa Castignola Address Unknown		

INSTRUMENT #160000462  
RECORDED IN THE CLERK'S OFFICE OF  
BUCHANAN COUNTY ON  
MARCH 22, 2016 AT 03:28PM  
BEVERLY S. TILLER, CLERK  
RECORDED BY: GGB